
By: **Delegate Donoghue**

Introduced and read first time: February 9, 2001

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 17, 2001

CHAPTER 308

1 AN ACT concerning

2 **Retail Sale of Motor Fuel - Advertising Signs - Grades of ~~Gasoline~~ Motor**
3 **Fuel**

4 FOR the purpose of ~~requiring all grades of gasoline displayed on a certain sign or~~
5 ~~other means that advertises the retail price of motor fuel to meet certain octane~~
6 ~~specifications~~ requiring the grade designation displayed for motor fuel on
7 certain signs or other means advertising the price of motor fuel at a retail outlet
8 to be the same as the grade designation that is required to be displayed for that
9 motor fuel on the retail dispensing pump as specified by the Comptroller; and
10 generally relating to advertising signs for the retail sale of motor fuel.

11 BY repealing and reenacting, with amendments,
12 Article - Business Regulation
13 Section 10-315
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 2000 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Business Regulation**

19 10-315.

20 (a) A person who sells motor fuel at retail shall display signs in accordance
21 with this section.

1 (b) (1) All dispensing equipment for motor fuel shall be marked
2 conspicuously to show in numerals of equal size the price, including taxes, of a gallon
3 of the motor fuel offered for sale.

4 (2) If numerals that show a fractional cent are used, the combined height
5 and width of the numerator and denominator shall equal the height and width of the
6 other numerals used.

7 (c) (1) A sign or other means on the premises and approaches to a retail
8 outlet that advertises the retail price of motor fuel:

9 (i) may list the price and each tax separately if the listing of the
10 total of the price and all taxes is the same size as the separate listing of the price; but

11 (ii) shall list the total of the price and all taxes by numerals of
12 uniform size.

13 (2) In the listing of the total of the price and all taxes, a denominator
14 need not be used to indicate a fraction, but:

15 (i) if a denominator is used, the numerator and denominator
16 combined shall be the same size as the numeral that indicates the whole number; or

17 (ii) if a denominator is not used, the numerator shall be the same
18 size as the numeral that indicates the whole number.

19 ~~(D) ALL GRADES OF GASOLINE DISPLAYED ON A SIGN OR OTHER MEANS ON~~
20 ~~THE PREMISES AND APPROACHES TO A RETAIL OUTLET THAT ADVERTISES THE~~
21 ~~RETAIL PRICE OF MOTOR FUEL SHALL MEET THE OCTANE SPECIFICATIONS SET BY~~
22 ~~THE COMPTROLLER.~~

23 (D) IF THE RETAIL PRICE OF MOTOR FUEL IS ADVERTISED ON A SIGN OR BY
24 OTHER MEANS ON THE PREMISES OF AND APPROACHES TO THE RETAIL OUTLET, THE
25 GRADE DESIGNATION DISPLAYED FOR ANY MOTOR FUEL IN THE ADVERTISEMENT
26 SHALL BE THE SAME AS THE GRADE DESIGNATION THAT IS REQUIRED TO BE
27 DISPLAYED FOR THAT MOTOR FUEL ON THE RETAIL DISPENSING PUMP AS
28 SPECIFIED BY THE COMPTROLLER.

29 [(d)] (E) (1) This subsection does not apply to:

30 (i) a retail service station dealer who operates with not more than
31 3 dispensing units that combined have not more than 6 nozzles; or

32 (ii) the sale of gasohol.

33 (2) Each retail service station dealer shall keep a sign on the premises
34 that:

35 (i) states the lowest price for a whole measurement unit of regular
36 and mid-grade gasoline sold on the premises;

1 (ii) states the unit of measurement used; and

2 (iii) is readable by passing motorists.

3 (3) All numerals on the sign shall:

4 (i) be uniform;

5 (ii) be at least 8 inches high and 3.5 inches wide; and

6 (iii) have a brush stroke of at least 1 inch.

7 (4) A numeral in a fraction or a letter shall be at least one-third the
8 height of a numeral that indicates a whole number.

9 (5) If a new or additional sign is required to comply with this subsection,
10 the supplier of the gasoline shall provide the sign and numerals without cost to the
11 retail service station dealer.

12 [(e)] (F) A sign required at a service station by this section or any other State
13 or federal law is exempt from the provisions of a local law, ordinance, or regulation for
14 the purpose of determining:

15 (1) the total number of signs permitted; and

16 (2) the area of signs permitted.

17 [(f)] (G) Except as provided in subsection [(e)] (F) of this section, signs
18 regulated by this section or other State law or by federal law may be regulated by the
19 local zoning authority and shall be consistent with the local law, ordinance, or
20 regulation governing signs.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2001.