
By: Chairman, Ways and Means Committee (Departmental - Comptroller)

Introduced and read first time: January 15, 1997

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 4, 1997

CHAPTER ____

1 AN ACT concerning

2 **Motor Fuel and Lubricants - Administration and Enforcement**

3 FOR the purpose of ~~expanding the hours for which the Comptroller shall have access to~~
4 ~~motor fuel for inspection purposes or drawing motor fuel samples~~; authorizing the
5 Comptroller to inspect or draw samples from the propulsion tanks of certain motor
6 vehicles under certain circumstances; providing that the denial of access to motor
7 vehicles by certain individuals constitutes prima facie evidence of a violation of the
8 State motor fuel and lubricants law; and generally relating to the administration and
9 enforcement of the motor fuel and lubricants law.

10 BY repealing and reenacting, with amendments,
11 Article - Business Regulation
12 Section 10-201
13 Annotated Code of Maryland
14 (1992 Volume and 1996 Supplement)

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

17 **Article - Business Regulation**

18 10-201.

19 (a) (1) The Comptroller shall administer and enforce this title.

20 (2) The Comptroller may delegate any power or duty of the Comptroller
21 under this title.

22 (b) To enforce this title, the Comptroller may make investigations, hold hearings,
23 examine persons under oath, and receive evidence.

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1 (c) To enforce this title, the Comptroller may issue subpoenas for the attendance
2 of witnesses to testify or to produce evidence.

3 (d) (1) For inspection or drawing samples, the Comptroller shall have access,
4 during normal business ~~OR OPERATIONAL~~ hours, to:

5 (i) each place where motor fuel is stored for sale; [or]

6 (ii) each conveyance used to transport motor fuel; OR

7 (III) SUBJECT TO THE PROVISIONS OF PARAGRAPH (2) OF THIS
8 SUBSECTION, THE PROPULSION TANK OF ANY SPECIAL FUEL POWERED MOTOR
9 VEHICLE USED FOR BUSINESS PURPOSES.

10 (2) IN THE CASE OF THE PROPULSION TANK OF A VEHICLE DESCRIBED
11 IN PARAGRAPH (1)(III) OF THIS SUBSECTION, THE COMPTROLLER SHALL ALSO HAVE
12 ACCESS FOR INSPECTION OR DRAWING SAMPLES ANY TIME THE VEHICLE IS IN
13 OPERATION.

14 ~~(2)~~ (3) A denial of access by an agent, owner, or other person who
15 operates such a place [or], conveyance, OR MOTOR VEHICLE is prima facie evidence of
16 a violation of this title.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1997.