
By: Senator Astle

Introduced and read first time: January 31, 1997

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Fuel Refiners and Suppliers - Promotional Games**

3 FOR the purpose of repealing the prohibition against a refiner or supplier of motor fuel
4 performing or participating in a promotional game of chance sponsored by the
5 refiner or supplier; providing guidelines for a refiner or supplier of motor fuel to
6 offer promotional games of chance; prohibiting a retail service station dealer from
7 being required to participate in a game of chance or to pay certain fees; allowing a
8 refiner or supplier of motor fuel to perform or participate in promotional games of
9 chance not marketed through retail service stations; and generally relating to
10 refiners or suppliers of motor fuel performing or participating in promotional games
11 of chance.

12 BY repealing and reenacting, with amendments,

13 Article - Business Regulation

14 Section 10-502

15 Annotated Code of Maryland

16 (1992 Volume and 1996 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Business Regulation**

20 10-502.

21 (a) [Except as provided in subsection (b) of this section, a refiner or other
22 supplier of motor fuel to a retail service station may not engage in, sponsor, promote,
23 advertise, or otherwise perform or participate in a game of chance to be marketed or
24 offered to the public in the State.

25 (b)] A supplier of motor fuel authorized under this title to operate retail service
26 stations may, at such stations, participate in a game of chance promoted or sponsored by
27 entities other than a refiner or supplier of motor fuel.

28 (B) (1) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, A REFINER OR
29 OTHER SUPPLIER OF MOTOR FUEL TO A RETAIL SERVICE STATION MAY ENGAGE IN,
30 SPONSOR, PROMOTE, ADVERTISE, OR OTHERWISE PERFORM OR PARTICIPATE IN A
31 GAME OF CHANCE TO BE MARKETED OR OFFERED TO THE PUBLIC IN THE STATE.

1 (2) A REFINER OR OTHER SUPPLIER OF MOTOR FUEL TO A RETAIL
2 SERVICE STATION MAY OFFER A MAXIMUM OF FOUR GAMES OF CHANCE EACH
3 CALENDAR YEAR PROVIDED THAT THE MAXIMUM VALUE OF ANY INDIVIDUAL
4 PRIZE TO BE AWARDED TO A RETAIL CUSTOMER DOES NOT EXCEED \$5,000 IN VALUE
5 PER GAME AND THAT THE MAXIMUM VALUE OF ALL PRIZES TO BE AWARDED BY A
6 REFINER OR OTHER SUPPLIER OF MOTOR FUEL TO RETAIL CUSTOMERS DOES NOT
7 EXCEED A TOTAL OF \$100,000 IN VALUE PER CALENDAR YEAR.

8 (3) A RETAIL SERVICE STATION DEALER MAY NOT BE REQUIRED BY
9 ANY AGREEMENT, FORMAL OR INFORMAL, TO PARTICIPATE IN ANY GAME OF
10 CHANCE, OR TO PAY A FEE TO PARTICIPATE IN ANY GAME OF CHANCE THAT IS
11 GREATER THAN \$75 PER PROMOTION.

12 (4) THIS SUBSECTION MAY NOT BE CONSTRUED TO PROHIBIT A
13 REFINER OR OTHER SUPPLIER OF MOTOR FUEL FROM ENGAGING IN, SPONSORING,
14 PROMOTING, OR OTHERWISE PERFORMING OR PARTICIPATING IN A GAME OF
15 CHANCE THAT IS NOT MARKETED THROUGH RETAIL SERVICE STATIONS AND
16 WHICH REQUIRES NO PAYMENT OF FEES FROM RETAIL SERVICE STATION DEALERS.

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