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**By: Senators Dorman, Bromwell, Ruben, Ferguson, Hafer, Trotter, Derr, and Teitelbaum** ~~Teitelbaum~~ Teitelbaum, and Colburn

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 11, 1997

Rule 32(a) suspended

Assigned to: Rules

Re-referred to: Finance, March 14, 1997

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Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 27, 1997

Returned to second reading: March 28, 1997

Senate action: Adopted with floor amendments

Read second time: March 28, 1997

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Business Regulation - Retail Service Stations - Operation**

3 FOR the purpose of prohibiting a retail service station in this State from being operated  
 4 by a producer or refiner of motor fuel with any entity in which the producer or  
 5 refiner has a direct or indirect ~~ownership or financial~~ ownership interest ~~or is in any~~  
 6 ~~way connected with any other business being operated at the retail service station;~~  
 7 and providing that this Act is not applicable to certain entities operating as of a  
 8 certain date in Maryland.

9 BY repealing and reenacting, with amendments,

10 Article - Business Regulation

11 Section 10-311(a)

12 Annotated Code of Maryland

13 (1992 Volume and 1996 Supplement)

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

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

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1           **Article - Business Regulation**

2 10-311.

3           (a) Except as provided in subsections (c) and (d) of this section, each retail  
4 service station in the State:

5                   (1) shall be operated by a retail service station dealer; and

6                   (2) may not be operated by a producer or refiner of motor fuel:

7                           (i) with a commissioned agent, company personnel, [or] a subsidiary  
8 company, ~~OR ANY ENTITY IN WHICH THE PRODUCER OR REFINER HAS A DIRECT OR~~  
9 ~~INDIRECT OWNERSHIP OR FINANCIAL INTEREST OF ANY NATURE WHATSOEVER OR~~  
10 ~~IS IN ANY WAY CONNECTED WITH ANY OTHER BUSINESS BEING OPERATED AT THE~~  
11 ~~RETAIL SERVICE STATION;~~ or

12                           (ii) under a contract with a person who manages the station on a fee  
13 arrangement with the producer or refiner.

14           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall not be  
15 applicable to any entity lawfully operating retail service stations in Maryland as of March  
16 1, 1997 with respect to the stations then operated by that entity.

17           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 1997.