

HOUSE BILL 998

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C2

2000 Regular Session
0lr2379
CF 0lr1560

By: **Delegates Harrison, Benson, Boschert, Boutin, Branch, Brown, C.
Davis, DeCarlo, Donoghue, Fulton, Glassman, Kach, K. Kelly, Kirk,
Kittleman, Klausmeier, Krysiak, La Vay, Love, McHale, Mitchell, Moe,
Paige, Pendergrass, and Walkup**

Introduced and read first time: February 11, 2000

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation - Registration of Service Station Dealers and Sale of**
3 **Gasoline Products**

4 FOR the purpose of extending to a certain date a conditional prohibition against the
5 Comptroller of the State issuing a certificate of registration to a retail service
6 station dealer who markets motor fuel through a retail service station that has
7 been altered, enlarged, or structurally modified; altering the effective date of a
8 certain provision of law that would require a producer, refiner, or wholesaler of
9 motor fuel to extend voluntary allowances uniformly to all retail service station
10 dealers supplied by the producer, refiner, or wholesaler; and generally relating
11 to the sale of gasoline products.

12 BY repealing and reenacting, with amendments,
13 Article - Business Regulation
14 Section 10-304 and 10-312
15 Annotated Code of Maryland
16 (1998 Replacement Volume and 1999 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 10-304.

21 (a) The Comptroller may not issue a certificate of registration to a retail
22 service station dealer who markets motor fuel through a retail service station altered,
23 enlarged, or structurally modified after July 1, 1977, and before [October 1, 2000]
24 OCTOBER 1, 2004, unless:

25 (1) the station contains an enclosed work area where the service of motor
26 vehicles is offered to customers regardless of whether motor fuel is bought; and

1 (2) the services offered include a battery charge, lubrication, oil change,
2 tire repair, and replacement of accessories such as fan belts, radiator hoses, or wiper
3 blades.

4 (b) Notwithstanding subsection (a) of this section, the Comptroller may issue
5 a certificate of registration to a retail service station dealer who markets motor fuel
6 through:

7 (1) a retail service station that, before it is altered, enlarged, or
8 structurally modified, lacks an enclosed work area; or

9 (2) a retail service station that is altered, enlarged, or structurally
10 modified if the owner and retail service station dealer agree to the elimination of an
11 enclosed work area.

12 10-312.

13 Each producer, refiner, or wholesaler of motor fuel who supplies motor fuel to
14 retail service station dealers:

15 (1) after [September 30, 2000] SEPTEMBER 30, 2004, shall extend all
16 voluntary allowances uniformly to all retail service station dealers supplied;

17 (2) shall apply all equipment rentals uniformly to all retail service
18 station dealers supplied; and

19 (3) during periods of shortage:

20 (i) shall apportion uniformly and equitably all gasoline and special
21 fuel to all retail service station dealers supplied; and

22 (ii) may not discriminate among retail service station dealers
23 supplied in their allotments.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2000.