
By: **Delegate Donoghue**
Introduced and read first time: February 9, 2001
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of requiring all grades of gasoline displayed on a certain sign or
4 other means that advertises the retail price of motor fuel to meet certain octane
5 specifications; and generally relating to advertising signs for the retail sale of
6 motor fuel.

7 BY repealing and reenacting, with amendments,
8 Article - Business Regulation
9 Section 10-315
10 Annotated Code of Maryland
11 (1998 Replacement Volume and 2000 Supplement)

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

14 **Article - Business Regulation**

15 10-315.

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

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

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

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

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

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

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

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

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

9 (D) ALL GRADES OF GASOLINE DISPLAYED ON A SIGN OR OTHER MEANS ON
10 THE PREMISES AND APPROACHES TO A RETAIL OUTLET THAT ADVERTISES THE
11 RETAIL PRICE OF MOTOR FUEL SHALL MEET THE OCTANE SPECIFICATIONS SET BY
12 THE COMPTROLLER.

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

14 (i) a retail service station dealer who operates with not more than
15 3 dispensing units that combined have not more than 6 nozzles; or

16 (ii) the sale of gasohol.

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

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

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

22 (iii) is readable by passing motorists.

23 (3) All numerals on the sign shall:

24 (i) be uniform;

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

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

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

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

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

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

5 (2) the area of signs permitted.

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

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