
By: **Delegate Murphy**
Introduced and read first time: February 8, 2002
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Fuel - Raising Price During State of Emergency Prohibited**

3 FOR the purpose of prohibiting a retail service station dealer from raising the price of
4 motor fuel sold at the retail service station during a state of emergency declared
5 by the Governor; requiring the Comptroller to conduct a certain investigation
6 within a certain period of time on receipt of a certain complaint; establishing
7 certain penalties for a violation of this Act; and generally relating to prohibiting
8 retail service station dealers from raising the price of motor fuel during a state
9 of emergency.

10 BY adding to
11 Article - Business Regulation
12 Section 10-304.2
13 Annotated Code of Maryland
14 (1998 Replacement Volume and 2001 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article - Business Regulation
17 Section 10-316
18 Annotated Code of Maryland
19 (1998 Replacement Volume and 2001 Supplement)

20 BY repealing and reenacting, without amendments,
21 Article - Business Regulation
22 Section 10-324
23 Annotated Code of Maryland
24 (1998 Replacement Volume and 2001 Supplement)

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

1

Article - Business Regulation

2 10-304.2.

3 (A) DURING A STATE OF EMERGENCY DECLARED BY THE GOVERNOR, A
4 RETAIL SERVICE STATION DEALER MAY NOT RAISE THE PRICE OF MOTOR FUEL SOLD
5 AT THE RETAIL SERVICE STATION.

6 (B) IF THE COMPTROLLER RECEIVES A COMPLAINT IN WRITING THAT A
7 RETAIL SERVICE STATION DEALER HAS RAISED THE PRICE OF MOTOR FUEL DURING
8 A STATE OF EMERGENCY, THE COMPTROLLER SHALL INVESTIGATE AND DETERMINE
9 WITHIN 3 BUSINESS DAYS OF THE RECEIPT OF THE COMPLAINT WHETHER THE
10 ALLEGATIONS CONTAINED IN THE COMPLAINT ARE TRUE.

11 (C) THE COMPTROLLER SHALL ISSUE A STOP SALE NOTICE AND MAY
12 SUSPEND OR REVOKE THE CERTIFICATE OF REGISTRATION OF A RETAIL SERVICE
13 STATION DEALER IF THE COMPTROLLER DETERMINES THAT THE RETAIL SERVICE
14 STATION DEALER IS IN VIOLATION OF THIS SECTION.

15 10-316.

16 The Comptroller shall issue a stop sale notice if the Comptroller finds that a
17 person:

18 (1) stores or sells motor fuel from a location that does not have a valid
19 certificate of registration;

20 (2) willfully uses a motor fuel advertisement that is misleading;

21 (3) willfully markets motor fuel that has not been approved; [or]

22 (4) sells motor fuel below cost in violation of § 10-304.1 of this subtitle;

23 OR

24 (5) RAISES THE PRICE OF MOTOR FUEL IN VIOLATION OF § 10-304.2 OF
25 THIS SUBTITLE.

26 10-324.

27 Except as otherwise provided in this subtitle, a person who violates this subtitle
28 or aids or assists in the violation of this subtitle is guilty of a misdemeanor and, on
29 conviction, is subject to a fine not exceeding \$5,000 or imprisonment not exceeding 1
30 year or both.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2002.