

HOUSE BILL 829

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2004 Regular Session
(4lr1738)

ENROLLED BILL
-- Economic Matters/Finance --

Introduced by **Delegates Moe, Cane, Conroy, D. Davis, Donoghue, Frush,
Malone, Menes, Minnick, Ross, Rudolph, Sophocleus, and Vaughn**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

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

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

13 BY repealing and reenacting, with amendments,
14 Article - Business Regulation
15 Section 10-304 and 10-312

1 Annotated Code of Maryland
2 (1998 Replacement Volume and 2003 Supplement)

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

5 **Article - Business Regulation**

6 10-304.

7 (a) The Comptroller may not issue a certificate of registration to a retail
8 service station dealer who markets motor fuel through a retail service station altered,
9 enlarged, or structurally modified after July 1, 1977, ~~and before October 1, 2004~~
10 2009, unless:

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

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

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

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

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

24 10-312.

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

27 (1) ~~after September 30, 2004~~ 2009, shall extend all voluntary allowances
28 uniformly to all retail service station dealers supplied;

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

31 ~~{(3)}~~ (2) during periods of shortage:

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

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

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
4 effect October 1, 2004.