

HOUSE BILL 829

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2004 Regular Session  
4r1738

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

Introduced and read first time: February 9, 2004

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 23, 2004

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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 the expiration date of the conditional prohibition  
5     against the Comptroller of the State on the issuance of a certificate of  
6     registration to a retail service station dealer who markets motor fuel through a  
7     retail service station that has been altered, enlarged, or structurally modified;  
8     repealing the provision of law that requires 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 certificates of registration for retail service station dealers and the sale of  
12    gasoline products.

13 BY repealing and reenacting, with amendments,  
14    Article - Business Regulation  
15    Section 10-304 and 10-312  
16    Annotated Code of Maryland  
17    (1998 Replacement Volume and 2003 Supplement)

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

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**Article - Business Regulation**

2 10-304.

3 (a) The Comptroller may not issue a certificate of registration to a retail  
4 service station dealer who markets motor fuel through a retail service station altered,  
5 enlarged, or structurally modified after July 1, 1977, [and before October 1, 2004,]  
6 unless:

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

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

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

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

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

20 10-312.

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

23 (1) [after September 30, 2004, shall extend all voluntary allowances  
24 uniformly to all retail service station dealers supplied;

25 (2)] shall apply all equipment rentals uniformly to all retail service  
26 station dealers supplied; and

27 [(3)] (2) during periods of shortage:

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

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

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

