
By: **Chairman, Finance Committee (By Request - Departmental -
Comptroller)**

Introduced and read first time: January 16, 2006

Rules suspended

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 31, 2006

CHAPTER _____

1 AN ACT concerning

2 **Motor Fuel - Gasoline Commingling by Brand or Grade - Prohibition**

3 FOR the purpose of providing that a marina may not commingle gasoline under
 4 certain circumstances; providing that certain motor fuel sellers and petroleum
 5 transporters may not commingle gasoline by brand or grade; requiring the State
 6 Comptroller to notify marinas in the State of the requirements of this Act;
 7 providing for the effective dates of this Act; and generally relating to
 8 prohibitions against commingling gasoline by brand or grade.

9 BY repealing and reenacting, with amendments,
 10 Article - Business Regulation
 11 Section 10-322 and 10-323
 12 Annotated Code of Maryland
 13 (2004 Replacement Volume and 2005 Supplement)

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

16 **Article - Business Regulation**

17 10-322.

18 A retail service station dealer OR MARINA may not with intent to defraud
 19 commingle gasoline by brand or grade.

1 10-323.

2 (a) A common carrier, contract carrier, manufacturer, refiner, special fuel
3 seller, wholesaler of motor fuel, or person who buys motor fuel in bulk for resale in
4 bulk who is engaged in the transportation of motor fuel may not willfully adulterate
5 or commingle:

6 (1) gasoline with special fuel; OR

7 (2) GASOLINE BY BRAND OR GRADE.

8 (b) Except for motor fuel intended for its own use, a petroleum transporter
9 may not place an additive in motor fuel.

10 (c) This section does not prohibit the adulteration or commingling of gasoline
11 with special fuel that occurs as a natural result of transit in a pipeline carrier.

12 SECTION 2. AND BE IT FURTHER ENACTED, That the State Comptroller
13 shall notify all marinas located in Maryland regarding the requirements of this Act by
14 bulletin, or any other appropriate means as determined by the State Comptroller.

15 SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
16 take effect October 1, 2006.

17 SECTION 2. 4. AND BE IT FURTHER ENACTED, That, except as provided in
18 Section 3 of this Act, this Act shall take effect ~~October~~ September 1, 2006.