

HOUSE BILL 377

C2

9lr2129
CF SB 392

By: **Delegate Feldman**

Introduced and read first time: February 2, 2009

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: March 13, 2009

CHAPTER _____

1 AN ACT concerning

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

4 FOR the purpose of ~~extending~~ eliminating the expiration date of the conditional
5 prohibition against the Comptroller 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 ~~altering the date after which~~ repealing a certain provision of law that requires a
9 producer, refiner, or wholesaler of motor fuel is required, after a certain date,
10 to extend voluntary allowances uniformly to all retail service station dealers that
11 are supplied by the producer, refiner, or wholesaler; and generally relating to
12 certificates of registration for retail service station dealers and the sale of
13 gasoline products.

14 BY repealing and reenacting, with amendments,
15 Article – Business Regulation
16 Section 10–304 and 10–312
17 Annotated Code of Maryland
18 (2004 Replacement Volume and 2008 Supplement)

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

21 **Article – Business Regulation**

22 10–304.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) The Comptroller may not issue a certificate of registration to a retail
2 service station dealer who markets motor fuel through a retail service station altered,
3 enlarged, or structurally modified after July 1, 1977, ~~and before October 1, [2009]~~
4 ~~2014~~, unless:

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

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

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

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

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

18 10-312.

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

21 (1) ~~after September 30, [2009] 2014, shall extend all voluntary~~
22 ~~allowances uniformly to all retail service station dealers supplied;~~

23 ~~(2)~~ shall apply all equipment rentals uniformly to all retail service
24 station dealers supplied; and

25 ~~(3)~~ (2) during periods of shortage:

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

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

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2009.