

SENATE BILL 392

C2

9lr2396
CF HB 377

By: **Senator Exum**

Introduced and read first time: February 2, 2009

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 4, 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 a producer, refiner, or wholesaler of motor fuel is
9 required to extend voluntary allowances uniformly to all retail service station
10 dealers that are supplied by the producer, refiner, or wholesaler; and generally
11 relating to certificates of registration for retail service station dealers and the
12 sale of 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 (2004 Replacement Volume and 2008 Supplement)

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

20 **Article – Business Regulation**

21 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.



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

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

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

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

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

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

10-312.

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

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

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

(3) during periods of shortage:

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

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

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