

HOUSE BILL 1515

C2

0lr3543

By: **Delegate Serafini**

Introduced and read first time: March 5, 2010

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Motor Fuel – Sales Below Cost – Meeting Competition**
3 **Exception**

4 FOR the purpose of providing that a retail service station dealer may sell motor fuel
5 below cost if the sale is made in good faith to meet lawful competition; and
6 generally relating to the sale of motor fuel below cost.

7 BY repealing and reenacting, without amendments,
8 Article – Business Regulation
9 Section 10–304.1(a)
10 Annotated Code of Maryland
11 (2004 Replacement Volume and 2009 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Business Regulation
14 Section 10–304.1(b)
15 Annotated Code of Maryland
16 (2004 Replacement Volume and 2009 Supplement)

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

19 **Article – Business Regulation**

20 10–304.1.

21 (a) Except as provided in subsection (b) of this section, a retail service station
22 dealer may not sell motor fuel below cost.

23 (b) A retail service station dealer may sell motor fuel below cost if the sale is:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (1) made in good faith to meet **LAWFUL** competition;
- 2 (2) made as part of a final liquidation or closing of the business of the
3 retail service station dealer;
- 4 (3) made as part of a bona fide charitable promotion lasting no longer
5 than 2 days; or
- 6 (4) made under the direction or order of a court or government entity.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2010.