

# SENATE BILL 101

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By: **Senator Edwards**

Introduced and read first time: January 21, 2011

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Motor Fuel Advertising Signs – Requirements**

3 FOR the purpose of requiring the motor fuel advertising sign of a retail service station  
4 dealer to state a certain price for a unit of diesel fuel and a unit of regular  
5 gasoline if the retail service station sells diesel fuel on the premises; and  
6 generally relating to requirements for motor fuel advertising signs.

7 BY repealing and reenacting, with amendments,  
8 Article – Business Regulation  
9 Section 10–315  
10 Annotated Code of Maryland  
11 (2010 Replacement Volume and 2010 Supplement)

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

14 **Article – Business Regulation**

15 10–315.

16 (a) A person who sells motor fuel at retail shall display signs in accordance  
17 with this section.

18 (b) (1) All dispensing equipment for motor fuel shall be marked  
19 conspicuously to show in numerals of equal size the price, including taxes, of a gallon  
20 of the motor fuel offered for sale.

21 (2) If numerals that show a fractional cent are used, the combined  
22 height and width of the numerator and denominator shall equal the height and width  
23 of the other numerals used.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) (1) A sign or other means on the premises and approaches to a retail  
2 outlet that advertises the retail price of motor fuel:

3 (i) may list the price and each tax separately if the listing of the  
4 total of the price and all taxes is the same size as the separate listing of the price; but

5 (ii) shall list the total of the price and all taxes by numerals of  
6 uniform size.

7 (2) In the listing of the total of the price and all taxes, a denominator  
8 need not be used to indicate a fraction, but:

9 (i) if a denominator is used, the numerator and denominator  
10 combined shall be the same size as the numeral that indicates the whole number; or

11 (ii) if a denominator is not used, the numerator shall be the  
12 same size as the numeral that indicates the whole number.

13 (d) If the retail price of motor fuel is advertised on a sign or by other means  
14 on the premises of and approaches to the retail outlet, the grade designation displayed  
15 for any motor fuel in the advertisement shall be the same as the grade designation  
16 that is required to be displayed for that motor fuel on the retail dispensing pump as  
17 specified by the Comptroller.

18 (e) (1) This subsection does not apply to:

19 (i) a retail service station dealer who operates with not more  
20 than 3 dispensing units that combined have not more than 6 nozzles; or

21 (ii) the sale of gasohol.

22 (2) Each retail service station dealer shall keep a sign on the premises  
23 that:

24 (i) states the lowest price for a whole measurement unit of:

25 1. regular and mid-grade gasoline sold on the premises;

26 **OR**

27 2. **IF THE RETAIL SERVICE STATION SELLS DIESEL**  
28 **FUEL, DIESEL FUEL AND REGULAR GASOLINE SOLD ON THE PREMISES;**

29 (ii) states the unit of measurement used; and

30 (iii) is readable by passing motorists.

31 (3) All numerals on the sign shall:

- 1 (i) be uniform;
- 2 (ii) be at least 8 inches high and 3.5 inches wide; and
- 3 (iii) have a brush stroke of at least 1 inch.
- 4 (4) A numeral in a fraction or a letter shall be at least one-third the  
5 height of a numeral that indicates a whole number.
- 6 (5) If a new or additional sign is required to comply with this  
7 subsection, the supplier of the gasoline shall provide the sign and numerals without  
8 cost to the retail service station dealer.
- 9 (f) A sign required at a service station by this section or any other State or  
10 federal law is exempt from the provisions of a local law, ordinance, or regulation for  
11 the purpose of determining:
- 12 (1) the total number of signs permitted; and
- 13 (2) the area of signs permitted.
- 14 (g) Except as provided in subsection (f) of this section, signs regulated by this  
15 section or other State law or by federal law may be regulated by the local zoning  
16 authority and shall be consistent with the local law, ordinance, or regulation  
17 governing signs.
- 18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2011.