

Chapter 381

(House Bill 669)

AN ACT concerning

Business Regulation – Introduction of Additives into Gasoline – Authorization

FOR the purpose of authorizing the Comptroller to authorize any person who holds a certain dealer license to introduce an additive into gasoline for resale under certain circumstances; ~~declaring the intent of the General Assembly regarding certain regulations;~~ *providing for the content of certain regulations;* and generally relating to authorization to introduce additives into gasoline.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 10–308
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Article – Business Regulation

10–308.

(a) Before making the first sale in the State of gasoline imported into the State, the seller shall register with the Comptroller each additive introduced into the gasoline after it was received in the State.

(b) The registration shall:

(1) include the amount of additive blended into each gallon of gasoline;
and

(2) describe the additive by including:

(i) its trade name, trademark, and manufacturer;

(ii) its quantitative analysis; and

(iii) the manufacturer's trade name or other identification.

(c) (1) An additive may [only] be introduced into gasoline for resale or distribution by a person who holds a Class “A” dealer license issued in accordance with § 9–322 of the Tax – General Article.

(2) THE COMPTROLLER MAY AUTHORIZE ANY PERSON WHO HOLDS A DEALER LICENSE OTHER THAN A CLASS “A” DEALER LICENSE ISSUED IN ACCORDANCE WITH § 9–322 OF THE TAX – GENERAL ARTICLE TO INTRODUCE AN ADDITIVE INTO GASOLINE FOR RESALE OR DISTRIBUTION IF THE PERSON COMPLIES WITH:

(I) THE REQUIREMENTS OF THIS SUBTITLE; AND

(II) ~~ANY OTHER~~ REGULATIONS ADOPTED BY THE COMPTROLLER, INCLUDING REGULATIONS REGULATIONS:

1. ~~GOVERNING THAT SPECIFY THE METHOD OF~~ FOR INTRODUCING AN ADDITIVE INTO GASOLINE, SUCH AS IN-LINE BLENDING OR ANY METHOD EQUAL TO OR SUPERIOR TO IN-LINE BLENDING, AS DETERMINED BY THE COMPTROLLER; AND

2. THAT PROVIDE FOR THE PAYMENT OF THE MOTOR FUEL EXCISE TAX UNDER § 9–305 OF THE TAX – GENERAL ARTICLE BY A LICENSED DEALER.

~~SECTION 2. AND BE IT FURTHER ENACTED, That it is the intention of the General Assembly that any regulations adopted by the Comptroller governing the introduction of additives into gasoline by a person who holds a dealer license other than a Class “A” dealer license be the same as the requirements for Class “A” dealers, including requirements relating to the additive used and the method of introducing an additive into gasoline.~~

SECTION ~~2.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2013.

Approved by the Governor, May 2, 2013.