

and distribution of [[petroleum]] gasoline products.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Sections 167A through 167I, inclusive, be and they are hereby added to Article 23 of the Annotated Code of Maryland (1966 Replacement Volume), title "Corporations," subtitle "Particular Classes of Corporations," to follow immediately after Section 167 thereof and to be under the new subheading "Maryland [[Petroleum]] Gasoline Products Marketing Act," and all to read as follows:

MARYLAND [[PETROLEUM]] GASOLINE PRODUCTS MARKETING
ACT

167A.

THE GENERAL ASSEMBLY FINDS AND DECLARES THAT SINCE THE DISTRIBUTION AND SALE THROUGH MARKETING ARRANGEMENTS OF [[PETROLEUM]] PETROLEUM PRODUCTS IN THE STATE OF MARYLAND VITALLY AFFECT THE ECONOMY OF THE STATE, THE PUBLIC INTEREST, WELFARE, AND TRANSPORTATION, IT IS NECESSARY TO DEFINE THE RELATIONSHIPS AND RESPONSIBILITIES OF THE PARTIES TO CERTAIN AGREEMENTS PERTAINING THERETO.

167B.

THIS SUBHEADING MAY BE CITED AS THE "MARYLAND [[PETROLEUM]] GASOLINE PRODUCTS MARKETING ACT."

167C.

AS USED IN THIS SUBHEADING, THE TERM

(1) "DISTRIBUTOR" MEANS ANY PERSON ENGAGED IN THE SALE, CONSIGNMENT, OR DISTRIBUTION OF [[PETROLEUM]] GASOLINE PRODUCTS THROUGH RETAIL OUTLETS WHICH IT OWNS OR LEASES, AND WHO MAINTAINS A WRITTEN CONTRACTUAL RELATIONSHIP WITH A DEALER FOR THE SALE OF THE PRODUCTS, AND SHALL INCLUDE ANY SUBSIDIARY OR AFFILIATED CORPORATION IN WHICH IT HOLDS AT LEAST THIRTY PERCENT VOTING CONTROL;

(2) "DEALER" MEANS ANY PERSON ENGAGED IN THE RETAIL SALE OF [[PETROLEUM]] GASOLINE PRODUCTS UNDER A MARKETING AGREEMENT ENTERED INTO WITH A DISTRIBUTOR, OTHER THAN A PERSON WHO IS AN EMPLOYEE OF A DISTRIBUTOR;

(3) "MARKETING AGREEMENT" MEANS A WRITTEN AGREEMENT BETWEEN A DISTRIBUTOR AND A DEALER UNDER WHICH THE DEALER IS GRANTED THE RIGHT TO USE A TRADEMARK, TRADE NAME, SERVICE MARK, OR OTHER IDENTIFYING SYMBOL OR NAME OWNED BY THE DISTRIBUTOR, AND A WRITTEN AGREEMENT BETWEEN A DISTRIBUTOR AND A DEALER BY WHICH THE DEALER IS GRANTED THE RIGHT TO OCCUPY PREMISES OWNED, LEASED OR CONTROLLED BY THE DISTRIBUTOR, FOR THE PURPOSE OF ENGAGING IN THE RETAIL SALE OF [[PETROLEUM]]