

Approved May 30, 1973.

CHAPTER 890

(Senate Bill 898)

AN ACT to repeal and re-enact, with amendments, Section 157F of Article 56 of the Annotated Code of Maryland (1972 Replacement Volume), title "Licenses," subtitle "Motor Fuel Inspection Law," to require motor fuel wholesalers, manufacturers and refiners to file all terminal agreements and all exchange agreements with additive and refinery specifications; to provide for the filing of trade secrets. [to require the filing of all advertising material used to promote sales of gasolines and special fuels (subject to penalties)] to prohibit the willful using of petroleum product advertisements which are deceptive or misleading prohibiting the adulteration or co-mingling of any refined gasolines with other petroleum products and to provide for equipment, personnel and incidental expenses.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 157F of Article 56 of the Annotated Code of Maryland (1972 Replacement Volume), title "Licenses," subtitle "Motor Fuel Inspection Law," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

157F.

Registration [of wholesaler, dealer, etc.] OF WHOLESALERS, DIESEL FUEL SELLERS, HEATING OIL DISTRIBUTORS, MANUFACTURERS, REFINERS, JOBBERS AND RETAIL SERVICE STATION DEALERS. REGISTRATION OF EXCHANGE AGREEMENTS, TERMINAL AGREEMENTS, SPECIFICATIONS AND ADDITIVES; PENALTIES, REVOCATIONS AND SUSPENSIONS.

(A) Every motor fuel wholesaler, diesel fuel seller, heating oil distributor, manufacturer, refiner, jobber, and retail service station dealer before marketing gasoline and special fuels shall be required to be registered with the Comptroller of the Treasury before selling or exposing or offering for sale any gasoline, other motor vehicle fuels or special fuels and shall be required to register annually and shall make known to the Comptroller his desire to sell gasoline and special fuels giving the name and manner and kind of pump or pumps he will use and the location of same, and shall keep the certificate or certificates of registration issued by the Comptroller of the Treasury, posted in a prominent and accessible place in his place of business where such gasoline and special fuels are sold. The form of such certificate shall be designated by the Comptroller of the Treasury.

(B) EVERY MANUFACTURER, REFINER, OR MOTOR FUEL WHOLESALER IMPORTING GASOLINE AND SPECIAL FUELS SHALL FILE REFINERY SPECIFICATIONS INCLUDING ADDITIVE SPECIFICATIONS REGARDLESS OF WHERE THE ADDITIVES BECOME A PART OF THE GASOLINE AND SPECIAL FUELS. WHEN FILING, THE MANUFACTURER, REFINER, OR MOTOR FUEL WHOLESALER MAY DESIGNATE WITH THE CONCURRENCE OF THE COMPTROLLER CERTAIN COMPONENTS, INCLUDING ADDITIVES, OF THE GASOLINE OR SPECIAL FUEL AS BEING A TRADE SECRET. FOR ANY SUCH COMPONENT WHICH THE COMPTROLLER AGREES IS A TRADE SECRET, THE COMPTROLLER SHALL MAKE EVERY REASONABLE EFFORT TO PROTECT THE TRADE SECRET FROM