

BY repealing and reenacting, with amendments,

Article - Commercial Law
Section 11-304 (f) and (g)
Annotated Code of Maryland
(1975 Volume and 1975 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Sections 11-304(f) and (g) of Article - Commercial Law, of the Annotated Code of Maryland (1975 Volume and 1975 Supplement) be and they are hereby repealed and reenacted, with amendments, to read as follows:

Article - Commercial Law

11-304.

(f) A [party] DISTRIBUTOR who intends not to renew a marketing agreement shall give notice of his intent to the [party] RETAIL SERVICE STATION DEALER at least 90 days before the expiration of the term of the marketing agreement[.], WHETHER OR NOT THE MARKETING AGREEMENT CONTAINS A PROVISION FOR AUTOMATIC RENEWAL OR, BY ITS TERMS, EXPIRES AT A FIXED TIME. FAILURE TO GIVE NOTICE CONSTITUTES A RENEWAL OF THE MARKETING AGREEMENT FOR A TERM OF ONE YEAR FROM ITS STATED EXPIRATION DATE. THIS NOTICE REQUIREMENT SUPERSEDES THE NOTICE PROVISIONS OF ARTICLE - REAL PROPERTY, SECTION 8-402 (B), ANNOTATED CODE OF MARYLAND, AS WELL AS ANY NOTICE PROVISION SET FORTH IN THE MARKETING AGREEMENT.

(g) The distributor may not unreasonably withhold his consent to any assignment, transfer, sale, or renewal of a marketing agreement[.], WHETHER OR NOT THE MARKETING AGREEMENT CONTAINS A PROVISION FOR AUTOMATIC RENEWAL OR, BY ITS TERMS, EXPIRES AT A FIXED TIME. NOTICE OF INTENT NOT TO RENEW A MARKETING AGREEMENT SHALL SET FORTH, IN SPECIFIC DETAIL, THE REASONS RELIED UPON BY THE DISTRIBUTOR FOR THE NONRENEWAL.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1976.

Approved May 4, 1976.

CHAPTER 288

(Senate Bill 380)

AN ACT concerning