

CHAPTER 236**(Senate Bill 120)**

AN ACT concerning

Motor Fuel – Gasoline Commingling by Brand or Grade – Prohibition

FOR the purpose of providing that a marina may not commingle gasoline under certain circumstances; providing that certain motor fuel sellers and petroleum transporters may not commingle gasoline by brand or grade; ~~making conforming changes: requiring the State Comptroller to notify marinas in the State of the requirements of this Act; providing for the effective dates of this Act;~~ and generally relating to prohibitions against commingling gasoline by brand or grade.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 10–322 and 10–323

Annotated Code of Maryland

(2004 Replacement Volume and 2005 Supplement)

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

Article – Business Regulation

10–322.

A retail service station dealer OR MARINA may not with intent to defraud commingle gasoline by brand or grade.

10–323.

(a) A common carrier, contract carrier, manufacturer, refiner, special fuel seller, wholesaler of motor fuel, or person who buys motor fuel in bulk for resale in bulk who is engaged in the transportation of motor fuel may not willfully adulterate or commingle:

- (1) gasoline with special fuel; OR
- (2) GASOLINE BY BRAND OR GRADE.

(b) Except for motor fuel intended for its own use, a petroleum transporter may not place an additive in motor fuel.

(c) This section does not prohibit the adulteration or commingling of gasoline ~~with special fuel~~ that occurs as a ~~natural~~ result of transit ~~in~~ THROUGH a pipeline carrier SYSTEM.