

(a) It shall be unlawful for any dealer in [motor vehicle fuel] GASOLINE OR AVIATION FUEL or for any SPECIAL FUEL user or SPECIAL FUEL seller [of diesel fuel or fuel oil] to receive, sell, use, or distribute any such MOTOR VEHICLE fuel or AVIATION FUEL OR to engage in business within the State unless such dealer, RETAIL AVIATION FUEL DEALER, SPECIAL FUEL user or SPECIAL FUEL seller is the holder of [an uncanceled] EITHER:

(1) A VALID license issued by the Comptroller to engage in said business[.]; OR

(2) AN EXEMPTION CERTIFICATE ISSUED BY THE COMPTROLLER.

(B) An application for such license OR FOR AN EXEMPTION CERTIFICATE shall be filed with the Comptroller upon oath and in such form as the Comptroller may prescribe, setting forth the name under which such applicant is transacting business within the State of Maryland, the names and addresses of the several persons constituting the firm or partnership, and, if a corporation, the corporate name under which it is authorized to transact business, and the names and addresses of its principal officers, resident general agent and attorney in fact. If such applicant is an association of persons, firm, partnership, or corporation organized under the laws of another state, territory or country, if it has not already done so, it must first comply with the laws of Maryland relating to the transaction of its appropriate business therein.

(C) ALL DEALERS SHALL OBTAIN A LICENSE FROM THE COMPTROLLER. THERE SHALL BE 6 CLASSES OF DEALER LICENSE, AS FOLLOWS:

(1) CLASS "A":

(I) A CLASS "A" LICENSE SHALL BE ISSUED TO PRODUCERS, REFINERS, OR ANY OTHER ENTITIES THAT MANUFACTURE MOTOR VEHICLE FUEL OR AVIATION FUEL (EXCLUDING BLENDED ALCOHOL WITH GASOLINE) WHO MEET ALL OF THE FOLLOWING CRITERIA:

1. MAINTAIN IN THIS STATE A MINIMUM INVENTORY OF 500,000 GALLONS OF MOTOR VEHICLE FUEL;

2. POST A SURETY BOND IN AN AMOUNT SET BY THE COMPTROLLER, PROVIDED THAT IN NO CASE SHALL BOND BE LESS THAN \$200,000; AND

3. OWN OR CONTROL AND DEDICATE A MINIMUM STORAGE CAPACITY IN THIS STATE FOR MOTOR VEHICLE FUEL OF 1,000,000 GALLONS.

(II) A CLASS "A" LICENSEE MAY EXERCISE THE FOLLOWING PRIVILEGES WITH RESPECT TO MOTOR VEHICLE AND AVIATION FUEL: