

WILLIAM DONALD SCHAEFER, Governor

By its provisions, House Bill 589 does not apply to a dealer who also operates a convenience store under a franchise agreement with a party other than the distributor. In an uncodified section, the bill sets forth a timetable for compliance with its requirements.

I am aware of and extremely sensitive to the concerns that House Bill 589 is intended to address. There have been several tragic incidents where service station attendants were seriously injured or killed during robberies, and there have been other incidents where individual's lives have been in jeopardy. These incidents weighed heavily in my deliberations on House Bill 589. Because of my insistence on having a full understanding of this legislation and my concern for the public safety, I requested Lt. Governor Melvin Steinberg to hold a Supplemental Bill Hearing on the bill. The testimony heard, and the several requests for vetoes received have convinced me that House Bill 589, while attempting to address a serious problem, is discriminatory, does not effectively improve security, and may hurt service to the public.

Because the bill does not apply to service stations that are operated by employees of the supplier, or to a dealer who operates a convenience store at its marketing location under a franchise with a party other than the distributor to the dealer, this sets up the incongruous situation where one 24 hours service station would be required to install the security devices, while another 24 hour service station across the street would not.

It is my understanding that service station robberies account for just over 3% of all robberies in the United States. Requiring the installation of the specified security measures at all stations that are open for more than 18 hours ignores the fact that a significant portion of the reported robberies occur at hours other than the late night hours, that robberies are concentrated at only a few of the stations, that fortified kiosks would not prevent many of the robberies, and that many other establishments that are also subject to robbery (including convenience stores, restaurants, etc.) are open 24 hours. It appears that criminal activity may be simply displaced to these other establishments.

The security that would be gained from the fortified cashier's booth or kiosk can be easily breached. Most service stations offer "full-service" in addition to "self service," and so the attendant would be required to leave the protected area. In addition, many stations sell goods at retail that are delivered to the customer through an open door, again breaching the security of the booth. The possibility exists of customers being taken hostage by robbers so as to circumvent the security enjoyed by the attendants, or of robbers threatening to pour flammable liquids into the booth. Finally, Article 56, Section 157K of the Code requires full-service to disabled drivers (at