

(ii) under a contract with a person who manages the station on a fee arrangement with the producer or refiner.

(c) A retail service station shall be exempt from subsection (a) of this section for a fiscal year that starts July 1, if:

(1) on January 1, 1979, the station was operated by a subsidiary of a producer or refiner of motor fuel; and

(2) the gross revenues of the subsidiary from the sale of motor fuel in the State for the preceding calendar year is less than 2% of the gross revenues of the subsidiary from all retail operations in the State for the preceding calendar year.

10-311.1.

(A) A PRODUCER OR REFINER OF MOTOR FUEL MAY NOT INCLUDE IN ANY AGREEMENT OR CONTRACT ENTERED INTO WITH A SERVICE STATION DEALER ANY PROVISION THAT DIRECTLY OR INDIRECTLY LIMITS OR WAIVES ANY RIGHT OF THE DEALER TO:

(1) PETITION ANY GOVERNMENTAL AUTHORITY OR BODY; OR

(2) LAWFULLY ADVOCATE OR OPPOSE ANY GOVERNMENTAL OR REGULATORY ACTION WITH RESPECT TO ANY MATTER.

(B) ANY PROVISION IN AN AGREEMENT OR CONTRACT THAT VIOLATES THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION IS DEEMED TO BE VOID AND UNENFORCEABLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply to any agreement or contract entered into by a service station dealer and a producer or refiner of motor vehicle fuel before, on, or after the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved April 12, 1994.

CHAPTER 88

(House Bill 71)

AN ACT concerning

State Finance and Procurement – Removal of Sanctions Against Republic of South Africa

FOR the purpose of repealing certain State ~~government sanctions and prohibitions~~