

contractual provisions that are prohibited by this Act are void and unenforceable if included in an agreement or contract covered by this Act; providing for the application of this Act; making this Act an emergency measure; and relating generally to the operation of retail service stations in the State.

BY repealing and reenacting, without amendments,

Article – Business Regulation

Section 10-311(a) and (c)

Annotated Code of Maryland

(1992 Volume and 1993 Supplement)

BY adding to

Article – Business Regulation

Section 10-311.1

Annotated Code of Maryland

(1992 Volume and 1993 Supplement)

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

Article – Business Regulation

10-311.

(a) Except as provided in subsection (c) of this section, each retail service station in the State:

(1) shall be operated by a retail service station dealer; and

(2) may not be operated by a producer or refiner of motor fuel:

(i) with a commissioned agent, company personnel, or a subsidiary company; or

(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.