

In subsection (a) of this section, the former reference to "establish[ing]" the program is deleted to reflect the fact that the State set-aside program has been established.

Also in subsection (a) of this section, the former reference to maintaining plans and procedures "in a state of readiness" is deleted as implicit in the requirement to maintain plans and procedures to carry out the State set-aside program.

In subsection (b) of this section, the former reference to the "proper" administration and enforcement of the State set-aside program is deleted as implicit in the requirement that the Director administer and enforce the State set-aside program.

Defined terms: "Administration" § 14-501

"Director" § 14-501

"Energy emergency" § 14-501

"State set-aside program" § 14-501

#### 14-503. APPLICABILITY OF STATE SET-ASIDE PROGRAM.

##### (A) IN GENERAL.

##### (1) THE STATE SET-ASIDE PROGRAM APPLIES TO:

(I) MOTOR GASOLINE;

(II) MIDDLE DISTILLATE;

(III) PROPANE;

(IV) RESIDUAL FUEL OIL, EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION; AND

(V) AVIATION GASOLINE.

(2) THE STATE SET-ASIDE PROGRAM DOES NOT APPLY TO RESIDUAL FUEL OIL THAT IS USED:

(I) IN AN ELECTRIC GENERATING STATION BY AN ELECTRIC COMPANY, AS DEFINED IN § 1-101 OF THE PUBLIC UTILITY COMPANIES ARTICLE; OR

(II) AS BUNKER FUEL FOR MARINE SHIPPING.

##### (B) STATE SET-ASIDE PERCENTAGE LEVELS.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE DIRECTOR:

(I) SHALL DETERMINE THE APPROPRIATE STATE SET-ASIDE PERCENTAGE LEVEL FOR EACH STATE SET-ASIDE PRODUCT; AND

(II) MAY REVIEW AND REVISE THE STATE SET-ASIDE PERCENTAGE LEVELS AS THE DIRECTOR CONSIDERS APPROPRIATE.

(2) THE STATE SET-ASIDE PERCENTAGE LEVELS MAY NOT EXCEED: