

Annotated Code of Maryland
(2001 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 12-104.1, ~~12-301~~, 13-406.1, ~~16-103.1~~, ~~16-115(a)~~, 16-808, and 27-101(s)

Annotated Code of Maryland

(1999 Replacement Volume and 2001 Supplement)

BY adding to

Article – Transportation

Section 16-813.1

Annotated Code of Maryland

(1999 Replacement Volume and 2001 Supplement)

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

~~Article 16A – Maryland Emergency Management Agency~~

~~10A.~~

~~(A) ON THE DECLARATION OF A STATE OF EMERGENCY UNDER THIS ARTICLE, A PERSON, CONTRACTOR, BUSINESS, OR OTHER ENTITY MAY NOT CHARGE AN UNCONSCIONABLY EXCESSIVE PRICE FOR ANY CONSUMER FOOD ITEMS OR GOODS, GOODS OR SERVICES USED FOR EMERGENCY CLEANUP, EMERGENCY SUPPLIES, MEDICAL SUPPLIES AND SERVICES, HOME HEATING OIL, BUILDING MATERIALS, HOUSING, TRANSPORTATION, FREIGHT, STORAGE SERVICES, GASOLINE OR OTHER MOTOR FUELS, OR OTHER GOOD OR SERVICE THAT THE GOVERNOR DETERMINES IS VITAL AND NECESSARY TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE DURING THE STATE OF EMERGENCY.~~

~~(B) (1) IF THE ATTORNEY GENERAL DETERMINES THAT THERE ARE REASONABLE GROUNDS TO BELIEVE THAT A PERSON, CONTRACTOR, BUSINESS, OR OTHER ENTITY HAS VIOLATED SUBSECTION (A) OF THIS SECTION, THE ATTORNEY GENERAL MAY BRING A CIVIL ACTION AGAINST THE PERSON, CONTRACTOR, BUSINESS, OR OTHER ENTITY FOR CHARGING AN UNCONSCIONABLY EXCESSIVE PRICE FOR A CONSUMER GOOD OR SERVICE.~~

~~(2) IN ANY PROCEEDING COMMENCED PURSUANT TO THIS SECTION, PRIMA FACIE PROOF THAT A VIOLATION HAS OCCURRED SHALL INCLUDE EVIDENCE THAT:~~

~~(I) THE AMOUNT CHARGED IS MORE THAN 15% ABOVE THE PRICE CHARGED BY THAT PERSON, CONTRACTOR, BUSINESS, OR OTHER ENTITY IMMEDIATELY PRIOR TO THE DECLARATION OF AN EMERGENCY, OR~~

~~(II) THE AMOUNT CHARGED GROSSLY EXCEEDED THE PRICE AT WHICH THE SAME OR SIMILAR GOODS OR SERVICES WERE READILY OBTAINABLE BY OTHER PURCHASERS IN THE TRADE AREA.~~