

SYSTEM AND IS NOT SOLD FROM A RETAIL PUMP ON WHICH THE NOTICE REQUIRED BY THIS SECTION HAS BEEN POSTED IN ACCORDANCE WITH ITEM (III) OF THIS PARAGRAPH; AND

(III) POSTED BY A SELLER ON ANY RETAIL PUMP WHERE THE SELLER SELLS DYED DIESEL FUEL FOR USE BY THE BUYER OF THE DYED DIESEL FUEL.

(2) THE NOTICE REQUIRED UNDER PARAGRAPH (1)(I) OR (II) OF THIS SUBSECTION SHALL BE PROVIDED AT THE TIME OF THE REMOVAL OR SALE OF THE DYED DIESEL FUEL AND SHALL APPEAR ON SHIPPING PAPERS, BILLS OF LADING, AND INVOICES ACCOMPANYING THE SALE OR REMOVAL OF THE DYED DIESEL FUEL.

(3) THE MOTOR FUEL TAX DIVISION MAY DETERMINE THAT COMPLIANCE WITH A FEDERAL NOTICE PROVISION THAT IS SUBSTANTIALLY SIMILAR TO A NOTICE REQUIREMENT OF THIS SUBSECTION SATISFIES THAT NOTICE REQUIREMENT OF THIS SUBSECTION.

(B) (1) A PERSON MAY NOT OPERATE A MOTOR VEHICLE ON A HIGHWAY IN THE STATE WITH FUEL SUPPLY TANKS CONTAINING DYED DIESEL FUEL UNLESS PERMITTED TO DO SO UNDER A FEDERAL LAW OR REGULATION RELATING TO THE USE OF DYED DIESEL FUEL ON THE HIGHWAYS.

(2) (I) A PERSON MAY NOT SELL OR DELIVER DYED DIESEL FUEL IF THE PERSON KNOWS OR HAS REASON TO KNOW THAT THE DYED DIESEL FUEL WILL BE CONSUMED FOR A PROHIBITED ON-HIGHWAY USE.

(II) A PERSON WHO DISPENSES DYED DIESEL FUEL FROM A RETAIL PUMP THAT IS NOT PROPERLY LABELED WITH THE NOTICE REQUIRED BY SUBSECTION (A)(1) OF THIS SECTION, OR WHO KNOWINGLY DELIVERS DYED DIESEL FUEL INTO THE STORAGE TANK OF SUCH A PUMP, SHALL BE PRESUMED TO KNOW THAT THE DYED DIESEL FUEL WILL BE CONSUMED ON THE HIGHWAY.

(C) A PERSON MAY NOT:

(1) EXCEPT AS PROVIDED IN SUBSECTION (B)(1) OF THIS SECTION, OPERATE A MOTOR VEHICLE ON A HIGHWAY IN THE STATE WITH DYED DIESEL FUEL IN THE PROPULSION TANK OF THE MOTOR VEHICLE;

(2) SELL OR DELIVER DYED DIESEL FUEL FROM A RETAIL PUMP THAT IS NOT PROPERLY LABELED AS REQUIRED UNDER SUBSECTION (A) OF THIS SECTION;

(3) SELL OR DELIVER DYED DIESEL FUEL FROM A PETROLEUM DELIVERY VEHICLE INTO A PROPULSION TANK OF A MOTOR VEHICLE; OR

(4) REFUSE TO PERMIT INSPECTION OF A PROPULSION TANK IN ACCORDANCE WITH § 10-201(E) OF THIS TITLE.

(D) A PERSON THAT VIOLATES ANY PROVISIONS OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.