

The Business Regulation Article Review Committee notes, for consideration by the General Assembly, that subsection (c) of this section, which contains a detailed list of items to be submitted to the Comptroller, could be simplified. A general reference to an applicant for registration submitting "an application on the form that the Comptroller provides" could be substituted for the list of items to be submitted.

Defined terms: "Comptroller" § 1-101

"Motor fuel" § 10-101

"Person" § 1-101

10-304. REGISTRATION OF CERTAIN RETAIL SERVICE STATION DEALERS PROHIBITED.

(A) CERTIFICATE PROHIBITED FOR CERTAIN CONVERTED STATIONS.

THE COMPTROLLER MAY NOT ISSUE A CERTIFICATE OF REGISTRATION TO A RETAIL SERVICE STATION DEALER WHO MARKETS MOTOR FUEL THROUGH A RETAIL SERVICE STATION ALTERED, ENLARGED, OR STRUCTURALLY MODIFIED AFTER JULY 1, 1977, AND BEFORE JULY 1, 1992, UNLESS:

(1) THE STATION CONTAINS AN ENCLOSED WORK AREA WHERE THE SERVICE OF MOTOR VEHICLES IS OFFERED TO CUSTOMERS REGARDLESS OF WHETHER MOTOR FUEL IS BOUGHT; AND

(2) THE SERVICES OFFERED INCLUDE A BATTERY CHARGE, LUBRICATION, OIL CHANGE, TIRE REPAIR, AND REPLACEMENT OF ACCESSORIES SUCH AS FAN BELTS, RADIATOR HOSES, OR WIPER BLADES.

(B) EXCEPTIONS.

NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, THE COMPTROLLER MAY ISSUE A CERTIFICATE OF REGISTRATION TO A RETAIL SERVICE STATION DEALER WHO MARKETS MOTOR FUEL THROUGH:

(1) A RETAIL SERVICE STATION THAT, BEFORE IT IS ALTERED, ENLARGED, OR STRUCTURALLY MODIFIED, LACKS AN ENCLOSED WORK AREA; OR

(2) A RETAIL SERVICE STATION THAT IS ALTERED, ENLARGED, OR STRUCTURALLY MODIFIED IF:

(I) THE APPROPRIATE COUNTY, MUNICIPAL, OR SPECIAL ZONING BOARD OR PLANNING COMMISSION RULES IN FAVOR OF CONVERSION TO A GASOLINE-ONLY OUTLET AFTER CONSIDERING THE NEED OF THE PUBLIC FOR THIS TYPE OF SERVICE IN THE LOCALITY; AND